

<b>LFC Requester:</b>	<b>Anne Hanika-Ortiz</b>
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**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**

**[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto:billanalysis@dfa.nm.gov)**

*(Analysis must be uploaded as a PDF)*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

**Date Prepared:** January 30, 2025 *Check all that apply:*  
**Bill Number:** SB 148 Original  Correction   
 Amendment  Substitute

**Sponsor:** Maestas/ Hernandez **Agency Name and Code Number:** AOC 218  
**Short Title:** Anti-Hazing Act **Person Writing:** Kienna Rodriguez  
**Phone:** 505-396-0202 **Email:** aocker@nmcourts.gov

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: Relates to or is similar to SB 10 2025.

Duplicates/Relates to Appropriation in the General Appropriation Act

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

##### Synopsis:

SB 148 enacts the Anti-Hazing Act, which establishes hazing as a crime, sets guidelines for reporting hazing, and creates a civil cause of action. This bill requires the creation and implementation of a code of conduct and the installation of a hazing prevention committee at post-secondary education institutions. This also proposes hazing prevention education and provides penalties for participating in hazing.

This bill grants the state Department of Justice and the district attorney jurisdiction to enforce the provisions of this act. Civil liability is prescribed for the person or entity that fails to take reasonable steps to prevent hazing or report such actions. Any individual who fails to take action shall forfeit entitlement to state-funded grants, scholarships, or awards.

#### **FISCAL IMPLICATIONS**

Implementing and reporting mandates under SB 148 will likely have a fiscal impact on public and private post-secondary institutions. However, the exact amount of financial burden would be institution-specific.

#### **SIGNIFICANT ISSUES**

Page 4 states: “Whoever commits hazing is guilty of a misdemeanor. Whoever commits hazing that results in physical harm or great psychological harm to a student or prospective student is guilty of a fourth-degree felony. Whoever commits hazing that results in great physical harm is guilty of a third-degree felony. Whoever commits hazing that results in death is guilty of a second-degree felony.”

This could burden the courts with fuller dockets and a more significant workload for court staff.

Page 7 states: “Beginning with the 2025 fall academic term, a public or private post-secondary educational institution shall provide students with an educational program on the signs and dangers of hazing that shall, at a minimum, include information regarding the educational institution's policy against hazing, reporting protocols, the educational institution's hazing awareness, prevention, and intervention initiatives and the civil and criminal consequences of hazing.”

Institutions that are not already providing hazing policies, protocols, awareness, and prevention will need to be provided with materials and resources to enforce this act effectively.

Higher education institutions have processes when students are accused of violating the institutional code of conduct. Many schools also have hazing prevention acts.

Hazing, which can be defined as activities that humiliate, degrade, abuse, or endanger a person, regardless of the person’s willingness to participate, has no place in post-secondary education. New Mexico is one of six states that does not have an anti-hazing law.

## **PERFORMANCE IMPLICATIONS**

## **ADMINISTRATIVE IMPLICATIONS**

Please see “Significant Issues” above.

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

Relationship to SB10 2025.

## **TECHNICAL ISSUES**

## **OTHER SUBSTANTIVE ISSUES**

## **ALTERNATIVES**

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Each post-secondary educational institution will continue to address hazing incidents in its own way, which would most likely be inconsistent state-wide. Additionally, New Mexico will remain one of only six states with no law defining hazing as a crime.

## **AMENDMENTS**